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FROM AIT KAOHSIUNG BRANCH OFFICE

E.O. 12958: N/A

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SUBJECT: PROSECUTORS CONFIDENT IN CHEN SHOOTING
INVESTIGATION

1. (SBU) Summary. In a conversation with AIT/K, Tainan Prosecutors investigating the 19 March 2004 shooting of President Chen and Vice President Lu expressed confidence that their investigation had narrowed to a single, most likely perpetrator -- Chen Yi-hsiung, an unemployed 64-year-old man from Tainan, who had expressed dissatisfaction with President Chen Shui-bian. Prosecutors insisted the timing of their announcement of the suspect had nothing to do with political concerns, including planned rallies by opposition parties scheduled for the March 19 anniversary of the shooting incident. The prosecutors also said they expect no attempt by the Chen administration to influence their decision whether or not to indict Chen Yi-hsiung's family members for withholding evidence critical to the investigation. End Summary

2. (SBU) The Chief Prosecutor in Tainan, charged with investigating the March 19, 2004, shooting of President Chen and Vice President Lu, told AIT/K the announcement that Chen was the prime suspect was based on a year-long investigation consisting of more than 1000 interviews. Progress was slow until investigators determined that Tang Shou-yi of Tainan had manufactured both the weapon and the ammunition used in the shooting. Tang, in turn, revealed to investigators the names of 80 customers to whom he had sold weapons. One of these was Chen Yi-hsiung, who, according to prosecutors, is a relative of Tang. Based on this information and the resemblance of Chen Yi-hsiung to a person videotaped leaving the scene of the shooting, prosecutors were able to secure a warrant to wiretap the phones of Chen Yi-hsiung's wife, son, daughter and daughter-in-law. Evidence developed from the wiretap included conversations among the four relatives discussing disposal of the gun and of incriminating suicide notes left by Chen, who had drowned nine days after the shooting. Chen's drowning had been initially classed as an accident. However, based on information provided by his family, the case is being reinvestigated.

3. (SBU) Prosecutors subsequently questioned all family members, each of whom eventually admitted to the destruction of incriminating suicide notes left by Chen. Chen's wife has stated publicly that she recognized her husband from a video broadcast by local media after the shooting and confronted him about it. According to Mrs. Chen, Chen responded that he would handle the situation. Additionally, she told prosecutors that her husband had admitted to the shooting in a conversation with her prior to his death. Mr. Chen's son also stated that he knew his father was involved in the shooting. To date, none of the family members has admitted to disposing of the weapon. However, prosecutors say they are following several leads on the location of the weapon.

4. (SBU) According to prosecutors, the investigation is ongoing, and they presently have no plans to close it. They hope to develop additional evidence and possibly even locate the weapon involved. The prosecutors said that, while comments by local media, opposition political leaders, and some prosecutors not involved with the case have stirred public doubts, they are confident the focus of their investigation is correct and they will be able eventually to close the case satisfactorily. They particularly hope that locating the weapon will enable them to confirm or deny whether or not Chen acted alone.

5. (SBU) Prosecutors told AIT/K that the timing of their announcement was based on the fact that it took months to identify the gun manufacturer and develop leads from his statements. Had the Chen family come forward, they noted, the case could have been resolved

much earlier. They said that they decided to release the information publicly as soon as they were confident of their conclusions. They did not want the information to leak and make it appear they were withholding information that the public had a right to know. They vigorously denied to AIT/K that any political pressure had influenced the announcement.

16. (SBU) Prosecutors further told AIT/K that no decision had been reached on whether or not to prosecute Chen's family members for withholding and destroying evidence. While some politicians have called for President Chen to pardon the family members, prosecutors said they don't expect such a move. They confirmed that the decision whether or not to indict rests in their office.

17. (SBU) Comment. The view from the Prosecutors' office adds an important dimension to what has become a highly politicized issue in Taiwan, with the public dividing largely along party lines as to whether or not they believe Chen was the attempted assassin, or even whether there was an assassination attempt in the first place. Meanwhile, the KMT is moving ahead with its plans to hold a "mass rally" on March 19, the anniversary of the shooting incident. Prosecutors in the case are long time contacts of AIT/K and are considered by AIT/K to be extremely reliable. AIT/K has frequent, and very frank contact with their office. At no time during the investigation did they seem to be under any pressure to treat this case differently than other investigations. The prosecutors continued to conduct their normal caseload throughout the shooting investigation. End Comment.

FORDEN

PAAL